

divided into eight uniform school districts, as follows:—1, Hilo; 2, Puna; 3, Kau; 4, South Kona; 5, North Kona; 6, South Kohala; 7, North Kohala; 8, Hamakua.

The Island of Maui shall be divided as follows:—1st, from Kohakuloa to Ukumehame, including Kahoolawe; 2d, from Waihee to Honu-
aula inclusive; 3d, Kahikinui, Kaupo, Kipahulu, Hana, Koolau; 4th
Hamakualoa, Hamakuapoko, Haliimaile, Makawao, and Kula; 5th,
Molokai; 6th, Lanai.

The Island of Oahu shall be divided as follows:—1st, from Mauna-
lua to Moanalua inclusive; 2d, Ewa and Waianae; 3d, Waialua; 4th,
Koolauloa; 5th, Koolaupoko.

The Island of Kauai shall be divided as follows:—1st, from Nualolo
to Hanapepe inclusive; 2d, from Wahiawa to Mahatulepu inclusive;
3d, from Kipu to Kamalomalo inclusive; 4th, from Anahola to Kilauea
inclusive; 5th, from Kalihiwai to Honopu inclusive; 6th, Niihau.

The above districts may be subdivided by their several superintend-
ents, under general instructions from the Board of Education, into minor
divisions, by the observance of geographical lines, or otherwise, for
greater convenience and efficiency in conducting the public schools.

SECTION 705. It shall be the duty of the Board to discontinue any
government school, wherein the average daily attendance of scholars
throughout the year may be less than eighteen: provided, however, that
in remote districts, it may, in its discretion, continue schools, where the
average daily attendance throughout the year may be less than eighteen,
and where the wants of the people of the district may require it.

OF SUPERINTENDENTS.

SECTION 706. The President of the Board of Education shall recom-
mend to said Board for appointment, one or more general superintend-
ents of schools for each of the said districts, to hold office during the
pleasure of said Board.

SCHOOL SUPERINTENDENTS.

167

SECTION 707. The respective superintendents shall, in consultation with the trustees of the respective schools, within their several districts, have power to license teachers, according to the rules which may from time to time be established by the Board of Education; but the President of said Board shall, nevertheless, have power to revoke the licenses so given, for good cause.

SECTION 708. The superintendents, in consultation with the trustees of the several schools, shall have the power to employ school teachers in their respective districts; to erect and repair school houses, and to draw on the treasurers of their respective districts for the necessary funds to carry out these objects, under general instructions from the President of the Board of Education, reporting quarterly to said President the amount thus drawn and expended.

SECTION 709. The several superintendents shall, under the President of the Board of Education, be the trustees of all the school property, for their respective districts; and shall severally have the power to sue and be sued on account of the same, in any court of this kingdom. The school houses in their respective districts shall be under their immediate care, and they shall, so far as possible, preserve the same from injury and decay, either directly or through the local trustees.

SECTION 710. It shall be the duty of the several superintendents to report quarterly, to the President of the Board of Education, the number of teachers, schools and school houses, and also their character and condition, in their respective districts; the number of scholars attending such schools, and their progress in learning and good morals. For this purpose, it shall be their duty to examine the schools, and inspect the school houses under their care, either in person or by deputy, at least once in each quarter year.

SECTION 711. The pay of the several school superintendents shall be such as the Board of Education may, from time to time, determine.

OF SCHOOL TRUSTEES.

SECTION 712. The fathers or guardians of the children connected with any common school, may meet on the last Monday of December in each year, and elect, *viva voce*, a majority deciding, from their own number, a local committee of one or two trustees, (the number to be determined by the superintendent of the district,) being subjects of the King, whose duty it shall be to co-operate with the superintendent of the district, in carrying into effect the laws relating to common schools; and whose sanction shall be necessary to the election of the teacher of the school, to his dismissal from office, and to the agreement for his wages.

SECTION 713. It shall be the duty of the district justice, or some one appointed by him, to preside at the election of trustees, and report the result immediately to the school superintendent of the district.

SECTION 714. It shall be lawful for the district justice nearest to any common school, on the written complaint of any ten persons having the right to vote for the trustees of such school, against any trustee, on account of immorality, neglect of duty, or general unfitness for the office, to institute an investigation of the complaint, without charge, and on sufficient evidence, to depose the accused trustee from office.

SECTION 715. Should the office of any school trustee become vacant by resignation, death, removal, or any other cause, such vacancy may be filled until a new election, by some proper person to be appointed by the school superintendent of the district.

SECTION 716. In case of disagreement between any school superintendent and the trustees of his district, in the discharge of their respective duties, each party shall have the right of appeal to the Board of Education, whose decision in each case shall be final.

SECTION 717. Every school trustee, declared by the superintendent

SCHOOL TREASURERS—SCHOOL REVENUE

169

of his district to have been faithful in the discharge of his duty, shall be entitled to such compensation out of any appropriation for public schools, as may be allowed by the Board of Education. But unfaithful trustees shall be entitled to no pay.

OF SCHOOL TREASURERS.

SECTION 718. The Board of Education shall appoint, for each district, a responsible treasurer, for the school funds of such district, whose duty it shall be to safely keep, and properly apply, said funds, to the support of education in his district, as he may be, from time to time, instructed by the President of the Board of Education; and he shall give to the President of said Board, a bond, in such form and for such an amount, and with such security, as shall be approved by said President, for the faithful performance of his duty.

SECTION 719. The school treasurers shall pay out the school funds received by them, to the order of the school superintendents of their respective districts, and shall report quarterly, to the President of the Board of Education, an account of all school funds received and disbursed by them.

SECTION 720. Said treasurers shall hold office during the pleasure of the Board of Education, and shall receive as a compensation for their services, a commission of not more than five per cent. on the gross amount of the school funds received and disbursed by them.

OF THE SCHOOL REVENUE.

SECTION 721. The revenue for the support of government schools, shall be derived from direct appropriations by the Legislature, from the

170

DEPARTMENT OF PUBLIC INSTRUCTION.

interest accruing on the school fund, the rents of school lands, and from the school-tax as provided in section 486, and it shall be the duty of the President of the Board of Education to present to the Legislature at each biennial session, an account of the receipts and disbursements of the school revenue, since its last regular session.

OF ATTENDANCE.

SECTION 722. It shall be incumbent on all parents, guardians, and adopters of children between the ages of six and sixteen years, to send such children to some lawful school, where they may be regularly instructed in good morals, and elementary learning; and such parents and guardians shall have the right to send their children to the public schools, until they are twenty years of age.

SECTION 723. All police magistrates and district justices, when applied to by parents, teachers, school trustees, or other persons, shall have truant children, and all such as are required by law to attend school, but who are found about the wharves, streets, or public places, during school hours, or reported as absent from school without cause, arrested and taken to their respective schools, there to be punished according to the law relating to schools.

SECTION 724. If any such child shall persist in forsaking school, any police or district justice shall, upon proper complaint being made, cause the father, or mother, or guardian, or child, to be arrested; and, upon conviction, he shall sentence the party or parties offending, to a fine not exceeding five dollars for the father, mother, or guardian; and in default thereof, to imprisonment at hard labor for a term not exceeding ten days. And in case the offending party is the child, the said justice shall sentence the said child to a fine not exceeding two dollars, or to imprisonment at hard labor for a term not exceeding five days: provided, however, that no child under the age of ten years shall be subject to imprisonment; and further provided, that the school-superintendent shall have authority

ATTENDANCE—COMMON SCHOOLS.

171

to grant, without charge, to any parent or guardian, a certificate, exempting his child from obligation to attend school, for a certain specified time, for a suitable cause.

SECTION 725. Should any parent or guardian prefer to send his child, or ward, to a select or private school, not supported by government, and feel, in consequence of his poverty, that the school-tax herein imposed is too burdensome, the Minister of Finance shall have power to release him from said tax, so long as he shall continue to educate his children, on a certificate from the school-superintendent of his district that he is unable to pay the tax.

OF TEACHERS OF COMMON SCHOOLS.

SECTION 726. The teachers of common schools are licensed by the superintendents. No person shall be so licensed without having exhibited satisfactory evidence of good moral character, and qualifications to teach, particularly in the rudiments of reading, writing, arithmetic and geography; and every license to teach may, at any time, be cancelled by the President of the Board of Education, or by the superintendent of the district, in consultation with the trustee, or trustees, where the licensee has become of immoral character, or has shown a want of that skill, industry and fitness necessary to the successful discharge of his duties.

SECTION 727. It shall be the duty of the several superintendents of schools, at the commencement of each year, after giving public notice in the respective districts at least one month beforehand, to examine or cause to be examined, such persons, of good moral character, as shall apply to them for employment as teachers during the ensuing year, in such branches as are usually taught in the common schools, in order to ascertain their fitness, so far as knowledge is concerned, for such employment; and for this purpose the said superintendents shall be authorized to call to their aid one or more persons of intelligence, in conducting said examination.

SECTION 728. No license granted in one district shall authorize the holder to teach in another, without a new examination, although such license may be considered by the superintendent as *prima facie* evidence of the holder's qualifications.

SECTION 729. Every school-teacher shall have power to administer necessary and reasonable punishment upon the pupils of his school; and the teacher so acting shall not be in any way amenable therefor.

SECTION 730. The pay of the several school-teachers shall be such as may be determined by the superintendents of their respective districts, in consultation with the school trustees, under instructions from the Board of Education, which shall determine the compensation to be paid to all teachers employed in schools supported by government.

OF BOOKS AND STATIONERY.

SECTION 731. The President of the Board of Education shall, from time to time, furnish to the respective superintendents of common schools, such books and stationery as in the opinion of said Board may be needed, to be paid for out of the funds appropriated to the support of common schools.

SECTION 732. The scholars in the common schools shall be supplied, by their parents or guardians, with the books and stationery requisite for their use.

SECTION 733. In case any scholar shall not be furnished by his parents or guardians with such books and stationery, he shall be supplied therewith by the school superintendent of the district, who shall be authorized to draw upon the treasurer of the district for the amount expended for the same.

SECTION 734. The school-superintendent shall inform the tax-collector of the district of the names of the scholars supplied with books